IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX REFERENCE NO.743 OF 1998

The Commissioner of Income-tax,
Bombay City - I, Bombay .. Applicant.
V/s.
Kum. Sushma Shiromani .. Respondent.

Mr.A.S. Rao i/b. Mr.Pankaj Kapoor for the applicant.

CORAM : V.C. DAGA &
J.P. DEVADHAR, JJ.

DATED : 5TH APRIL, 2005.

P.C. :

1. Heard learned counsel for the applicant. The Tribunal has referred following question for the opinion of this Court reading as under :

> Whether on the facts and in the circumstances of the case, the Tribunal was right in law in holding that the amount of subsidy of Rs.4,92,000/- received by the assessee from the State Government in respect of production of films cannot be brought to tax as revenue receipt ?

2. The above question has already been answered by the Division of this Court in the case of **Sadichha Chitra V/s. C.I.T. [(1991) 189 ITR 774 (Bom)]** in favour of the assessee and against the revenue. In this view of the matter, question stands answered in affirmative for the reasons stated in the case of Sadichha Chitra. Reference, accordingly stands disposed of with no order as to costs.

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